

**726**  
**20.03.2024**  
Ct. No.10  
b.das

**WPA 27273 of 2023**

**Chittaranjan Nayak**  
**Vs.**  
**The State of W.B. & Ors.**

Mr. Dyutiman Banerjee  
Mr. S. K. Maiti ...for the petitioner.

Affidavit of service filed by the petitioner is taken on record.

None appears for the respondents despite service.

Mr. Soumitra Bandyopadhyay, who usually appears for the State and is present in Court, is requested to represent the State in the matter. His appointment be regularized by the office of the learned Legal Remembrancer.

The petitioner should serve copy of the writ petition along with all annexure thereto to Mr. Bandyopadhyay in course of this day.

Heard learned counsels for the parties.

The petitioner claims to be the recorded owner of the plot in question and submits that the private respondents have raised unauthorised construction by encroaching upon a portion of the PWD land adjoining his property, thereby obstructing his egress and ingress.

The petitioner submitted a representation in this regard before the concerned authority on 30<sup>th</sup> September,

2023 which is yet to be considered. The petitioner prays for a direction upon the concerned authority to consider the representation at the earliest.

Learned counsel for the State respondents submits that the 3<sup>rd</sup> respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 3<sup>rd</sup> respondent to consider and dispose of the representation submitted by the petitioner dated 30<sup>th</sup> September, 2023 within three months from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioner and the private respondents, in accordance with law.

With the above observations and directions the writ petition is disposed of.

There shall, however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

**(Suvra Ghosh, J.)**